

REMARKS

Claims 1-7 are pending in the application, with claim 6 being amended, new dependent claims 8-10 being added, and claims 1-5 and 7 being currently withdrawn with Applicant reserving the right to pursue such claims in a divisional application.

Claim 6, now independent, has been amended by deleting “according to any one of claim 1 through claim 4” and inserting in its place the subject matter of independent claim 1 so that claim 6 now recites, in part, “...applying a coating liquid, which comprises a polysilazane and a calcium compound, and which can form a film with apatite forming ability, to said base material.” New claims 8-10 depend directly from independent claim 6 and include the subject matter, respectively, of dependent claims 2-4.

Concerning the Restriction Requirement, Applicant elects, without traverse, the claims of Group II, which includes amended claim 6, drawn to a biomaterial comprising a base and a film. And, in the instance that generic independent claim 6 is not finally held to be allowable, Applicant elects species (a) the embodiment without medication, which includes new dependent claims 8 and 9, with new claim 10 belonging to species (b) which is the embodiment with medication.

Accordingly, Applicant respectfully requests withdrawal of, and has withdrawn, claims 1-5 of Group I and claim 7 of Group III and requests examination on the merits of remaining claim 6 of Group I, as well as new claims 8-10 now also of Group I, in the application.

Applicant has submitted all fees believed to be necessary herewith. Should any additional fees or surcharges be deemed necessary, Examiner has authorization to charge fees or credit any overpayment to Deposit Account No. 23-3000.

Respectfully submitted,
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